L

DEC 10 1970

Mr. Thomas J. Kelley
Assistant Director
U. S. Secret Service
1800 G Street, N. W.
Washington, D. C. 20226

Dear Mr. Kelley:

This is in reply to your letter of November 13, 1970, to Dr. James B. Rhoads, Archivist of the United States, relating to Mr. Weisberg's interest in receiving a copy of the "Memorandum of Transfer to the Archives", dated April 26, 1965.

On November 10, 1970, Mr. Weisberg appealed a decision of the Archivist of the United States denying access to a copy of the memorandum of transfer which is in the possession of the National Archives and Records Service. This denial was based on the provisions of subsection (b)(6) of 5 U.S.C. 552 (the Freedom of Information Act), relating to "medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" of the family of the late President Kennedy.

Before responding to Mr. Weisberg's appeal, we conferred with representatives of the Department of Justice. With their approval, a final denial was issued, a copy of which is enclosed.

With regard to the copy of the memorandum of transfer in your possession, it would seem appropriate to deny access on the same basis as we did. In the alternative, you may wish to transfer all copies of the memorandum of transfer to the National Archives and Records Service. Arrangements for such a transfer can be made by contacting Mr. Marion Johnson, National Archives and Records Service on Code 13, Extension 23171.

Sincerely,

(signed) Hart T. Mankin

HART T. MANKIN
General Counsel

Enclosure

cc: Official File - LC
General Counsel - L
Archivist of the U.S. - N
Asst. Admin. for Admin. - B
Deputy General Counsel - LL
Asst. Gen. Csl. - LR
Asst. Gen. Csl. - LC

LL:HWBarth:mta 12/9/70
L-832394 due 12/2